

UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF TENNESSEE AT KNOXVILLE

AUTO-OWNERS INSURANCE CO.,

Plaintiff,

vs.

MICHAEL E. ENGLAND, et al.,

Defendants.

ORDER

Case No. 3:10-cv-118

Judge Tena Campbell

Plaintiff Auto-Owners Insurance Company (Auto-Owners) filed this action for a declaratory judgment regarding whether it was required by an insurance contract to defend or indemnify Defendant Michael E. England in a state lawsuit. Mr. England was properly served but then failed to appear and litigate, resulting in the entry of default judgment against him. Auto-Owners now moves for entry of final judgment against Mr. England (Docket No. 45). On May 8, 2013, that motion was referred to United States Magistrate Judge C. Clifford Shirley pursuant to 28 U.S.C. § 636(b)(1)(B).

On June 14, 2013, Judge Shirley issued his Report and Recommendation, recommending that Plaintiff's motion be granted in full (Docket No. 47). The parties were given fourteen days to file objections to the Report and Recommendation and were cautioned that failure to file an objection could constitute waiver thereof upon subsequent review. No objections were received.

The court has carefully reviewed the Report and Recommendation and the relevant materials in the file and finds the recommendation correct in all respects. Accordingly, the Report and Recommendation (Docket No. 47) is adopted as the order of the court. The Motion

for Entry of Judgment Under Rule 54(b) (Docket No. 45) is GRANTED, and the clerk of the court is ORDERED to enter final judgment against Mr. England, consistent with the court's previous order of default judgment (Docket No. 15).

SO ORDERED this 8th day of July, 2013.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
United States District Judge

ENTERED AS A JUDGMENT
s/ Debra C. Poplin
CLERK OF COURT